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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DWIGHT GILCHRIST,)
)
Defendant.)
_____)

No. CR 06-0538 SI

STIPULATION AND [PROPOSED]
ORDER DOCUMENTING
EXCLUSION OF TIME

With the agreement of the parties in open court on November 3, 2006 and with the consent of the defendant Dwight Gilchrist (“defendant”), the Court enters this order 1) ordering the next hearing in front of this Court to be on December 15, 2006 at 11:00 a.m., and 2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from November 3, 2006 to December 15, 2006. The parties agree, and the Court finds and holds, as follows:

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[PROPOSED] ORDER DOCUMENTING
EXCLUSION OF TIME [CR 06 0538 SI]

1 1. The Court finds that, taking into the account the public interest in the prompt
 2 disposition of criminal cases, granting the continuance until December 15, 2006 is
 3 necessary for effective preparation of counsel and for continuity of counsel. See 18
 4 U.S.C. § 3161(h)(8)(B)(iv). Defense counsel has just obtained discovery and needs
 5 adequate time to review the discovery as it relates to the underlying fraud charges. Given
 6 these circumstances, the Court finds that the ends of justice served by excluding the
 7 period from November 3, 2006 to December 15, 2006, outweigh the best interest of the
 8 public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

9 2. Accordingly, and with the consent of the defendant, the Court orders that 1) the
 10 next appearance in front of this Court will be December 15, 2006 at 11:00 a.m., and 2)
 11 the period from November 3, 2006 to December 15, 2006 be excluded from Speedy Trial
 12 Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

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 14 IT IS SO STIPULATED.

15 DATED: January 3, 2007


16 /S/ Mark Vermeulen
 Mark Vermeulen
 Attorney for Dwight Gilchrist

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 18 DATED: January 3, 2007

19 /S/ Stacey P. Geis
 Stacey P. Geis
 Assistant U.S. Attorney

20
 21 IT IS SO ORDERED.

22 DATED: _____

23 
 The Honorable Susan Illston
 United States District Judge